

Regular Meeting

August 29, 2005
12:30 p.m.

The regular meeting of the Municipal Civil Service Commission convened on Monday, August 29, 2005, at 12:30 p.m. with Grady Pettigrew and Eileen Paley in attendance.

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RE: Review and approval of the minutes from the July 25, 2005, regular meeting.

The minutes were approved as written.

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RE: Review of the results of the pre-hearing conference for the following appeals:

- a) Michael Kyde vs. City of Columbus, Appeal No. 05-CA-0008. Police Officer Discharged – hearing scheduled for September 26, 2005.*
- b) Judith Brewer vs. Columbus Public Schools, Appeal No. 05-BA-0004. Custodian II – 10-Day Suspension – hearing scheduled for November 7, 2005.*
- c) Michael K. Riley vs. Columbus Public Schools, Appeal No. 05-BA-0002. Head Custodian II – 5-Day Suspension – hearing scheduled for October 17, 2005.*
- d) Shinda Prillerman vs. Columbus Public Schools, Appeal No. 05-BA-0001. Custodian II – 5 day suspension – hearing scheduled for September 19, 2005.*

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Michael Kyde - Police Officer, Discharge. Mr. Kyde represented himself for the pre-hearing conference and stated that he does have representation, although his attorney was not able to be present today. The City plans to call four to six witnesses; Mr. Kyde stated his only witness would be himself. The City Attorney's Office advised they believe the case will take more than a half day and suggested beginning the hearing in the morning. Mr. Kyde submitted a request for continuance, as his attorney is unable to attend the scheduled hearing on September 26, 2005. The City Attorney's Office has no objection to a continuance as long as back pay is waived. The Commission granted the request for continuance, with the stipulation that any potential back pay will end with the originally scheduled hearing date of September 26, 2005. Mr. Kyde stated he would have his attorney contact the Commission to discuss the continuance.

Judith Brewer – Custodian II, Columbus Public Schools, 10-day suspension. This appeal is based on the merits and mitigation and is schedule for hearing on November 7, 2005. The School Board plans to call two witnesses and the appellant plans to call three to four witnesses; both parties feel that a half day is sufficient time to present their cases.

Michael Riley – Head Custodian II, Columbus Public Schools, 5-day suspension. This appeal is based on the merits and mitigation and is scheduled for hearing on October 17, 2005; however, Mr. Riley has since submitted two additional appeals, one for a 10-day suspension and one for a discharge. The other two appeals are scheduled to be heard on February 13, 2006, and both the appellant's attorney and the school board attorney would prefer that this appeal be heard on that date also, partially because the School Board would need to request a continuance for the October hearing date due to ongoing issues with Mifflin High School and scheduled court appearances in October. The Commission granted the request, particularly since the witnesses would likely be the same for all three appeals. This appeal will be rescheduled to be heard on February 13, 2006 along with Mr. Riley's other two appeals.

Shinda Prillerman – Custodian II, Columbus Public Schools, 5-day suspension. This pre-hearing conference was held on July 25, 2005, but was not heard during the regular Commission meeting which was held early that day due to a Public Safety

hearing. This appeal is based on the merits and mitigation and is schedule for hearing on September 19, 2005. There will be a total of three witnesses called; both parties estimate 2 hours will be sufficient to present their cases.

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RE: Rule revisions – no rule revisions submitted this month.

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RE: Decision on the merits of the appeal of Michael J. Graves from the action of the Department of Public Safety, Division of Police, terminating him from the position of Police Officer – Case No. 05-CA-0033.

The Commission, in a unanimous decision, found Michael J. Graves guilty of Charge I, Specification I and Charge II, Specification I. They found Mr. Graves not guilty of Charge III, Specifications I and II. Based upon the foregoing, the Commission affirmed the action of the appointing authority in terminating Michael J. Graves from the position of Police Officer for the City of Columbus, Ohio, Department of Public Safety, Division of Police.

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RE: Request of the Civil Service Commission staff to revise the Background Removal Standards for Police Officers, Police Communications Technicians and Firefighters.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the Commission’s request to revise the background removal standards for police officers, police communications technicians, and firefighters.

The first proposed revision is to delete employment standard C.1 for police officers only. The Police Division has expressed concerns that qualified applicants may not show up for the exam or may not even apply once they realize that they do not have the one year of continuous employment. Since the Division’s recruiting unit is focusing on keeping candidates in the process, they requested we examine this standard. The background investigation unit has also found that some applicants with very poor employment history still meet the standard because they have worked for 12 months at their most recent job. Those applicants most likely will not receive a conditional offer. In addition, the standard has become difficult to administer since a number of exceptions have been added over time. The standard has also not been applied to part-time work so that someone with only part-time jobs after finishing college or high school would qualify even without ever obtaining full-time work. Any concerns with employment history would be handled by removing applicants with the “ANA” or appeared not appointed provision of Rule IX.

The second proposed revision is to traffic Standard E.5 for both police officers and firefighters. The Police Division is concerned about the percentage of African-American officers particularly now that retirements may increase dramatically with the DROP program. The Commission Staff examined 2004 statistics on background removals and pre-exam rejections based on the Abbreviated Background Questionnaire (ABQ). Although only 5 removals for license suspensions occurred in 2004, 3 of those were African-American. However, a large number of applicants are actually rejected at the application stage based on license suspensions. In 2004, 195 people were rejected for a suspension based on their ABQ. The breakdown of the race of those applicants is listed below:

Race	#	%
African-American	98	50.3
White	85	43.5
Hispanic	6	3.2

Asian	2	1.1
Unknown	4	2.2

Changes to this standard could potentially impact the number of minority applicants in the process since those applicants are being removed at a disproportionate rate. The suggested change would involve reducing the time of this standard from five (5) years to three (3) years. This would match the reduction made in the past to standard E.3 on moving violations. In addition, since the Fire Division obtains their traffic records from the BMV, it would also match the time period supplied by that agency. Suspensions are still an area of concern but the Commission staff, the Police and Fire Divisions, and the Department of Public Safety believe that three (3) years will be a sufficient time limit.

The third proposed revision is to the Honesty/Falsification section. This section applies to police communications technician candidates, as well as to police officer and firefighter candidates. It has come to the attention of Commission staff that two standards regarding honesty with illegal drug use are inconsistent. Standard A.2 which deals with frequency of drug use specifies use “as an adult.” Standard A.1 regarding failure to list any drug use does not specify adult behavior. Therefore, it is recommended that A.1 be revised to be consistent with the other standards in this section.

The language proposed is as follows:

- # 1. Standard applies only to police officer candidates.
C.1 Employment – **delete**
- #2. Standard applies only to police officer and firefighter candidates.
E.5 Traffic:
One revocation or suspension of a driver’s license as an adult, in effect during the ~~past five (5)~~ **three (3) years** due to points violation, or Financial Responsibility Act violation, or by a court.
- #3. Standard applies to police officer, police communications technician, and firefighter candidates.
A.1 Honesty/Falsification:
At any stage of the background investigation process, the applicant fails to disclose or acknowledge the use of any illegal drug, and at a subsequent stage in the process, the applicant admits to the use of an illegal drug, **as an adult**.

As a standard practice, the current police officer and firefighter eligible list have been reviewed to identify any individuals who were removed based on the current standards and subsequently filed a Background Administrative Review. Those individuals who would meet the revised standard will be submitted to the Commission for reinstatement at the next meeting. In addition, staff will notify any applicants rejected at the ABQ stage that they may be eligible to reapply.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Review of the Findings of Fact and Recommendation of the Hearing Officer for the Civil Service Commission Investigation regarding alleged improprieties prior to the 2005 Refuse Collection Vehicle Operator Group examination.

A motion to adopt the Hearing Officer’s recommendation that the allegations of impropriety were unsubstantiated, and that the investigation should therefore be closed, was made, seconded, and passed unanimously.

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*RE: Review of the Findings and Recommendation of the Trial Board hearing held on August 15, 2005:
Marva Hood vs. Columbus Public Schools, Appeal No. 04-BA-0025.*

A motion to adopt the Trial Board's recommendation that the Commission affirm the action of the appointing authority in suspending Marva Hood for five days from the position of Food Service Helper was made, seconded, and passed unanimously.

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RE: Request of the Columbus Public Schools to revise the specification for the classification of Bus Mechanic II (Class Code 9667).

PRESENT: Jackie Chapman, Columbus Public Schools

Jackie Chapman presented this request from Columbus Public Schools to revise the specification for the classification Bus Mechanic II based on a recent detailed job analysis. The revision is proposed to more accurately reflect the duties with respect to the classification.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Columbus Public Schools to revise the specification for the classification of Preventative Maintenance Supervisor (Class Code 9471).

PRESENT: Jackie Chapman, Columbus Public Schools

Jackie Chapman presented this request from Columbus Public Schools to revise the specification for the classification Preventative Maintenance Supervisor based on a recent detailed job analysis. The revision is proposed in order to reflect the need for, and the changes in, the requirements necessary to perform the duties with respect to the classification. The requirement changes substantiate the rationale for changing the classification from open competitive to non-competitive.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Automotive Mechanic Helper with no revisions (Class Code 3464).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Automotive Mechanic Helper was last reviewed in May 2000. There are currently five employees serving in this classification, located in the Fleet Management Division.

After reviewing the specification and questionnaires completed by incumbents, it was decided that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Automotive Mechanic Helper be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Automotive Mechanic Supervisor I with no revisions (Class Code 3456).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Automotive Mechanic Supervisor I was last reviewed in November 2000. There is currently one employee serving in this classification, located in the Division of Water.

After reviewing the classification specification, it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the Automotive Mechanic Supervisor I specification be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Construction Inspector I (Civil) with no revisions (Class Code 1019).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Construction Inspector I (Civil) was last reviewed in September 2001, and is being reviewed at this time because other classifications that perform similar functions are scheduled to be reviewed this year. There are currently eighty-seven employees serving in this classification, located in the Public Service and Public Utilities Departments.

After reviewing the specification and questionnaires completed by incumbents, it was decided that the current specification adequately describes the work as it currently exists. It was, therefore, recommended that the review of the specification for the classification Construction Inspector I (Civil) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Construction Inspector II (Civil) with no revisions (Class Code 1020).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Commission's efforts effort to review all classifications every five years. Construction Inspector II (Civil) was last reviewed in April 2002 and is being reviewed at this time because other classifications that perform similar functions are scheduled to be reviewed this year. There are currently two employees serving in this classification, both of which are located in the Division of Sewerage and Drainage.

After reviewing the specification and questionnaire completed by one of the incumbents, it was decided that the current specification adequately describes the work as it currently exists. It was, therefore, recommended that the review of the specification for the classification Construction Inspector II (Civil) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Student Intern I with no revisions (Class Code 0781).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. Student Intern I was last reviewed in May 2000. Currently no employees are serving in this classification.

The Student Intern I classification is responsible on a part-time basis for learning to perform routine tasks related to various clerical, trade, labor and other occupations. This classification is used for limited appointments to train high school students. Employment in this class may not continue beyond graduation from a high school program. After a review of the class specification, no revisions were recommended at this time.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Research Analyst with no revisions (Class Code 2081).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Research Analyst was last reviewed in May 2000 and there are currently seven employees serving in this classification, all of whom are located in the Development Department.

After reviewing the classification specification, it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the Research Analyst specification be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Training Manager with no revisions (Class Code 0881).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. Training Manager was last reviewed in March of 2000. Currently there is one employee serving in this classification. This classification is restricted for use only in the Human Resources Department.

After reviewing the specification and questionnaire completed by the incumbent, it was agreed that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Training Manager be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Real Estate Specialist (U) with no revisions (Class Code 1997).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. This classification was last reviewed in April 2000 and there are currently four employees serving in the classification all of which are located in the City Attorney's Office.

Base upon feedback provided by the department it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Real Estate Specialist (U) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Legal Administrative Coordinator (U) with no revisions (Class Code 1999).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. This classification was last reviewed in November of 2000. There are currently eight employees serving in this classification all of which are located in the City Attorney's Office.

Base upon feedback provided by the department it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Legal Administrative Coordinator (U) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Legal Administrative Assistant (U) with no revisions (Class Code 1993).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. This classification was last reviewed in November of 2000. There are currently fifteen employees serving in this classification all of which are located in the City Attorney's Office.

Base upon feedback provided by the department it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Legal Administrative Assistant (U) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Legal Advocate (U) with no revisions (Class Code 1991).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. This classification was last reviewed in November of 2000. There are currently thirteen employees serving in this classification all of which are located in the City Attorney's Office.

Based upon feedback provided by the department it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Legal Advocate (U) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Legal Secretary (U) with no revisions (Class Code 0517).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. This classification was last reviewed in December of 2000. There are currently eleven employees serving in this classification all of which are located in the City Attorney's Office.

Based upon feedback provided by the department it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Legal Secretary (U) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Legal Investigator/Paralegal (U) with no revisions (Class Code 1998).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as a result of the Commission's effort to review all classifications every five years. This classification was last reviewed in November of 2000. There are currently twelve employees serving in this classification all of which are located in the City Attorney's Office.

Based upon feedback provided by the department it was determined that the current specification adequately describes the work as it currently exists. It was therefore recommended that the review of the specification for the classification Legal Investigator/Paralegal (U) be approved with no revisions.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Research Analyst I (Class Code 1935).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Commission's effort to review all classifications every five years. Water Research Analyst I was last reviewed in March of 2000 and there are currently ten employees serving in this classification.

The only revisions recommended were to the minimum qualifications section of the specification. In order to provide clarity, as well as create consistency within the classification series, it was recommended that the degree requirement be in any field of the chemical or biological sciences. In addition, it was recommended that possession of a valid motor vehicle operator's license be added to this section. It was further recommended that a statement be included to communicate that some positions allocated to this classification may require State of Ohio EPA certification or licensure due to the types of tests and analyses performed. This is important because the Ohio EPA may inspect the laboratory for compliance to the rules. Failure to comply is grounds for the entire laboratory and its personnel to lose their water sampling privileges.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Research Analyst II (Class Code 1936).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Commission's effort to review all classifications every five years. Water Research Analyst II was last reviewed in May of 2001 but it is being reviewed at this time because other classifications in the series have not been reviewed in five years. There are currently five employees serving in this classification.

The only revisions recommended for this specification were to the minimum qualifications section. In order to provide clarity, as well as create consistency within the classification series, it was recommended that the degree requirement be in any field of the chemical or biological sciences and that the experience requirement be revised to call for two years of experience examining and analyzing samples of water. This revision will ensure that those individuals, who have examined and analyzed samples of water, but not necessarily in a laboratory, meet the experience criteria. It was further recommended that possession of a valid motor vehicle operator's license be added to this section. It was also recommended that a statement be included in the minimum qualifications section that will communicate that some positions allocated to this classification may require State of Ohio EPA certification or licensure due to the types of tests and analyses performed. This is important because the Ohio EPA may inspect the laboratory for compliance to the rules. Failure to comply is grounds for the entire laboratory and its personnel to lose their water sampling privileges.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Research Laboratory Manager (Class Code 1937).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Water Research Laboratory Manager was last reviewed in September 2002 and is being reviewed at this time because other classifications in the series have not been reviewed in the last five years. There is currently one employee serving in this classification.

It was recommended that the definition be revised to more clearly articulate the management aspect of the job. A guidelines for class use was included stating that Water Research Laboratory Manager is a single-position classification utilized solely by the Division of Water, eliminating the opportunity for abuse. No revisions to the examples of work or the knowledge, skills, and abilities sections of the specification were

recommended. The only revision to the minimum qualifications was to remove the valid driver's license requirement because the Water Research Laboratory Manager does not collect water samples and therefore, would not need a valid driver's license. No revisions to the probationary period or the examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Engineering Associate I (Class Code 1031).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Commission's effort to review all classifications every five years. Engineering Associate I was last reviewed in February 2001 and is being reviewed at this time because other classifications in the series have not been reviewed in five years. There are currently twenty-eight employees serving in this classification, utilized in the Public Service and Public Utilities Departments.

Although the current definition is accurate, it was recommended that it be revised to include responsibility for performing ground level paraprofessional engineering work such as conducting field investigations, field surveys, and/or compiling data while under the general supervision of a professional engineer or surveyor. There were no recommended revisions to the examples of work section of the specification. The minimum qualifications were revised to no longer require individuals to already be performing paraprofessional engineering or surveying work but instead to be assisting in such work. It was also recommended that one year of college education in engineering or a related curriculum may be substituted for the one year of experience. There were no proposed revisions to the knowledge, skills, and abilities section of the specification, the competitive examination type, or the 365-day probationary period.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Engineering Associate II (Class Code 1032).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Engineering Associate II was last reviewed in December 2000. There are currently forty-four (44) employees serving in this classification, utilized in the Public Service and Public Utilities Departments.

It was recommended that the definition be revised to help distinguish the different levels of responsibility within the series and up-date the terminology. No revisions to the examples of work section were recommended. It was also recommended that the minimum qualifications be revised to not require individuals to already be performing the work but instead assisting in the performance of paraprofessional electrical engineering work. It was also recommended that one year of college education in electrical engineering or a related curriculum may be substituted for one year of experience. There were no proposed revisions to the knowledge, skills, and abilities sections of the specification, the competitive examination type or the 365-day probationary period.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Engineering Associate III (Class Code 1104).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Commission's effort to review all classifications every five years. Engineering Associate III was last reviewed in November 2001 and is being reviewed at this time because other classifications in the series have not been reviewed in five years. There are currently fifty-two employees serving in this classification, utilized in the Public Service and Public Utilities Departments.

Revisions to the definition were recommended to help distinguish the different level of responsibilities within the series and bring the terminology up-to-date. The examples of work section of the specification was revised slightly to be consistent with other proposed changes within the specification by updating the terminology. It was recommended that the minimum qualifications be revised to reduce the specificity by requiring particular types of engineering work experience but indicate that paraprofessional engineering experience is required. No revisions to the knowledge, skills, and abilities, the noncompetitive examination type or the 365-day probationary period were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Electrical Engineering Associate I (Class Code 1132).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Electrical Engineering Associate I was last reviewed in November of 2000. There are currently three employees serving in this classification, utilized specifically in the Division of Electricity.

It was recommended that the definition be revised to help distinguish the different levels of responsibility within the series and to bring the terminology more up to date. No revisions to the examples of work section of the specification were recommended. The minimum qualifications were recommended to indicate that individuals are not required to already be performing specific electrical work but instead, require that they have assisted in performing the specific duties. Also it was recommended that one year of college education in electrical engineering or a related curriculum may be substituted for one year of experience. No revisions to the knowledge, skills and abilities, the competitive examination type or the 365-day probationary period were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Electrical Engineering Associate II (Class Code 1133).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Electrical Engineering Associate II was last reviewed in November of 2000. There are currently three employees serving in this classification, utilized specifically in the Division of Electricity.

It was recommended that the definition be revised to help distinguish the different levels of responsibility within the series and to bring the terminology more up to date. It was further recommended that the definition be revised to indicate that Electrical Engineering Associate IIs are responsible for performing intermediate level paraprofessional electrical engineering work while under the direction of a professional engineer. The examples of work section of the specification was recommended for

revision to be consistent with other proposed changes within the specification by updating the terminology and also by adding a supervisory duty since some positions may be required to supervise employees assigned to particular projects. In order to reduce some of the ambiguity, it was recommended that the minimum qualifications be revised to express that paraprofessional electrical engineering experience is required. It was further recommended that college education in electrical engineering or a related curriculum may be substituted for the experience on a year for year basis. No revisions to the knowledge, skills, and abilities, the competitive examination type or the 365-day probationary period were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Photography Technician (Class Code 1944).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Photography Laboratory Manager (Class Code 1945).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Fleet Coordinator (Class Code 3454).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request as a result of a request arising out of the CMAGE/CWA pay plan appeals committee discussions. Employees were afforded the opportunity to appeal the grade assignment to their classification by providing job related reasons why they felt the assignment was inaccurate. Because the information provided by the employees differed significantly from the information contained on the class specification, a review of the classification was initiated. Questionnaires were mailed to the employees to expound upon their duties and responsibilities. Based upon questionnaire data and feedback from the employees in the classification, some major revisions to the specification were identified and proposed for revision.

Fleet Coordinator was last revised in September of 2002 and there are currently two employees serving in this classification in the Department of Public Utilities.

The definition was revised to best capture the overriding reason or purpose that this class exists. The examples of work section was largely re-written to describe the duties regularly performed by and most representative of a Fleet Coordinator. A guidelines for class use was proposed to help differentiate this classification from the Fleet Manager classification. The Fleet Coordinator classification is a true managerial and supervisory classification, responsible for an operation, budget, and staff and the minimum qualifications were revised to require possession of a bachelor's degree and two years of supervisory experience over automotive mechanic(s). A substitution was included to allow additional experience performing automotive mechanic or motorized equipment repair work to substitute for the required education on a year-for-year basis; no substitution was recommended for the supervisory experience. One additional knowledge statement was added to the knowledge, skills and abilities. No revision to the 365-day probationary period or the competitive examination type was recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Sewerage Charge Investigator, retitle it to read Sewerage Charge Inspector and amend Rule XI accordingly (Class Code 3316).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request in response to the Commission's objective to review all classifications at least every five years to ensure accuracy. This specification was last reviewed in April of 1999 and there are currently six incumbents serving in the classification. All six incumbents are assigned to the Sewerage and Drainage Division as follows: two positions are assigned to customer service, two to the remote trucked waste disposal site, and two are assigned to pretreatment.

It was recommended that the title be changed from investigator to inspector because inspector better exemplifies the work performed by employees in this classification. The definition was revised to more accurately and succinctly state the reason or purpose that the classification exists. The examples of work section of the specification was revised to better reflect the type of work performed at the different work locations. It was proposed that the minimum qualifications be revised to require three years experience but to broaden the experience to include utilizing, inspecting, installing or repairing utility related meters or devices. The knowledge, skills and abilities section was also broadened to include several more knowledge, skills, and ability statements that would be important for successful job performance. No revisions to the 365-day probationary period or the competitive examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Engineer-In-Training I (Class Code 1028).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Engineer-In-Training II (Class Code 1029).

This item was deferred.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Engineer I (Class Code 1046).

This item was deferred.

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RE: Residency hearing reviews – none submitted this month.

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RE: Personnel Actions.

Request of the Civil Service Commission staff to reallocate designated positions currently Clerk Specialist (Class Code 0557) to the Development Services

Assistant classification (Class Code 2007) and to allow the affected incumbents to retain their current classification status and seniority.

Request of the Civil Service Commission staff to reallocate a designated position currently classified Clerk II (Class Code 0431) to the Telecommunications Specialist I classification (Class Code 0609) and to allow the affected incumbent to retain her current classification status and seniority.

Request of the Civil Service Commission staff to reallocate a designated position currently classified Clerk Specialist (Class Code 0557) to the Telecommunications Specialist II classification (Class Code 0610) and to allow the affected incumbent to retain her current classification status and seniority.

A motion to approve the requests was made, seconded, and passed unanimously.

* * *

RE: Administrative/Jurisdictional Reviews.

Review of the appeal of Suzanne Fuller regarding the denial of her request for reinstatement to the police officer eligible list.

The Commissioners approved the written recommendation submitted by the Civil Service Commission staff to grant Ms. Fuller's appeal. Ms. Fuller's appeal was based on the fact that although she had been discharged from the police academy due to being unable to perform the academic requirements, her inabilities were due to a learning disability. Ms. Fuller has since undergone testing at The Ohio State University's Speech-Language-Hearing Clinic and has enrolled in the Lindamood-Bell program to improve her academic skills. The Commission staff consulted with the Division of Police, and upon Ms. Fuller's submission of proof that she has successfully completed the Lindamood-Bell program, they would be willing to consider her for rehire.

Review of the appeal of Bart DeVictor regarding the rejection of his application for the police sergeant promotional examination.

The Commissioners approved the written recommendation submitted by the Civil Service Commission staff to dismiss Officer DeVictor's appeal without a hearing. His appeal was based on his belief that his nine and one half years of experience as a Columbus police officer should qualify him for the police sergeant promotional examination, regardless of the break in service he had between July 2002 and April 2003.

Civil Service Rule VII(B)(2) states: "Promotional examinations shall be limited to current City employees who: (a) meet the minimum requirements listed in the class specification for the class being tested."

Article 15.1(E) of the Agreement between the City of Columbus and the Fraternal Order of Police Capital City Lodge No. 9 (December 9, 2005 – December 8, 2005) states: "To be eligible for the next promotional examination, and applicant must have a (sic) least three (3) years of accredited service in the Division of Police as a Police Officer immediately prior to the giving of the examination for the rank of Sergeant, and at least one (1) year of accredited service in the Division of Police in the next lower rank immediately prior to the giving of the examination for each successive rank, unless a job analysis time-in-grade study mandates other time requirements."

The Commission has not conducted a time-in-grade study and, based on the Commission Rule and the FOP Agreement, Officer DeVictor does not meet the minimum qualifications for the 2005 Police Sergeant examination.

Review of the appeal of DeJuan B. Pratt regarding his discharge from the position of Child Care Attendant with the Columbus Public Schools.

The Commissioners approved the written recommendation submitted by the Civil Service commission staff to dismiss Mr. Pratt’s appeal without a hearing. The basis of Mr. Pratt’s appeal was that he believes he did not engage in conduct constituting misfeasance, malfeasance or nonfeasance, that his due process rights were violated because he was not permitted to confront witnesses, and that the evidence he presented was not considered.

Ohio Revised Code 124.34(B) states in its pertinent part,

In case of a reduction, suspension of more than three working days, fine in excess of three days' pay, or removal, **except for** the reduction or removal of a probationary employee, the appointing authority shall serve the employee with a copy of the order of reduction, fine, suspension, or removal, which order shall state the reasons for the action... Within ten days following the date on which the order is served... the employee, **except as otherwise provided in this section**, may file an appeal of the order in writing with the state personnel board of review or the commission. (Emphasis added)

Civil Service Rule XI(E) states in its pertinent part,

- 1. The service of any employee may be terminated by the appointing authority at any time during the probationary period by submitting a written report to the Civil Service Commission and the employee specifying the reason the employee is found unsatisfactory and such removal shall be final.
- 4. There shall be no appeal of any kind from the action of the appointing authority removing an employee during or at the end of the probationary period.

Mr. Pratt was hired by the Columbus Public Schools in May 2005 and had not completed his probationary period when he was terminated from his position. Pursuant to the provisions of the Ohio Revised Code and the Civil Service Rules, the Columbus Public Schools had the legal authority to terminate him from his position with or without a hearing. Based upon the forgoing, Mr. Pratt’s appeal was dismissed without a hearing.

APPLICANTS REMOVED POST-EXAM		
Name of Applicant	Position applied for	BAR #
Joseph M. Ritch	Police Officer	05-BR-070
Terence D. Burton	Police Officer	05-BR-071
W. Patrick McGarity	Police Officer	05-BR-072
Ryan Muniak	Police Officer	05-BR-073
Paul J. Van Horn	Police Officer	05-BR-074
Ricky Contreras	Police Officer	05-BR-075
Philip Luu	Police Officer	05-BR-076
Jason Featherston	Police Officer	05-BR-077
Brandon Smith	Police Officer	05-BR-078
Christopher R. Leonard	Police Officer	05-BR-079
Jamie Shepherd	Police Officer	05-BR-080
Shaun Omen*	Police Officer	05-BR-081
Justin Sciplin*	Police Officer	05-BR-082
Michael T. Kerns*	Police Officer	05-BR-084

After reviewing the files of Joseph M. Ritch, Ryan Muniak, Paul J. Van Horn, Phillip Luu, Brandon Smith and Christopher Leonard, the Commissioners decided their names would be reinstated to the police officer eligible list. After reviewing the files of Terence D. Burton, W. Patrick McGarity, Ricky Contreras, Jason Featherston, Jamie Shepherd, Shaun Omen, Justin Sciplin and Michael T. Kerns, the Commissioners decided their names would not be reinstated to the police officer eligible list.

RE: No disciplinary hearing scheduled.

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Priscilla R. Tyson, Commission President

September 26, 2005
Date